



04-23-CPA RECEIVED

APR 20 2001

(Modified) PTO/SB/29 (8/98)

Approved for use through 09/30/2000. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 C.F.R. §1.53(d))

CHECK BOX, if applicable

☒ DUPLICATE

Address to: Assistant Commissioner for Patents Box CPA Washington, D.C. 20231	Attorney Docket No. of Prior Application	407T-895411US
	First Named Inventor	Paul A. Price
	Examiner Name	Nguyen, B.
	Group/Art Unit	1641
	Express Mail Label No.:	EL 856403149 US

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. §1.53(d), (continued prosecution application (CPA)) of prior application No. 09/215,077, filed on December 18, 1998, entitled ASSAY FOR YKL-40 AS A MARKER FOR CANCER.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. §1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. §154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. §1.53(d), but must be filed under 37 C.F.R. §1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. §1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. §1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. §1.78(a).

1. ☐ Enter the amendment previously filed on _____ under 37 C.F.R. §1.116 in the prior non provisional application.
2. ☐ A preliminary amendment is enclosed
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. §1.53(d)(4).
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application: _____
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☒ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. ☒ Information Disclosure Statement (IDS) is enclosed:
 - a. ☒ PTO-1449
 - b. ☒ Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 C.F.R. §1.16(c) or (j))	8-20* =	0	x \$ =	\$0
	INDEPENDENT CLAIMS (37 c.f.r. §1.16(B) OR (I))	1-3** =	0	x \$ =	\$0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. §1.16(d))			+ \$ =	\$
				BASIC FEE (37 C.F.R. §1.16)	710.00
	Total of above Calculations =				
	Reduction by 50% for filing by small entity (Note 37 C.F.R. §1.9, 1.27 & 1.28).				355.00
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL = 355.00

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
 b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
 c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. **50-0893**:

- a. ☒ Fees required under 37 C.F.R. §1.16.
 b. ☒ Fees required under 37 C.F.R. §1.17.
 c. ☒ Fees required under 37 C.F.R. §1.18.

8. ☐ A check in the amount of \$ _____ is enclosed.

9. ☒ New Attorney Docket Number, if desired **407T-895411US**
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

10. a. ☐ Receipt for Facsimile Transmitted CPA (PTO/SB/29A)

b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

11. ☐ Other: _____

NOTE:

The prior applications correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.

12. NEW CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



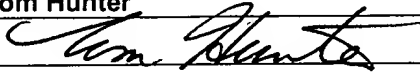
22798

PATENT TRADEMARK OFFICE


or ☒ New correspondence address below

Name	Tom Hunter				
	The Law Offices of Jonathan Alan Quine				
Address	2033 Clement Avenue				
	Suite 200				
City	Alameda	State	California	Zip Code	94501
Country	USA	Telephone	510-337-7871	Fax	510-337-7877

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Tom Hunter
Signature	
Registration No. (Attorney/Agent)	38,498
Date	20 April 2001

CERTIFICATE OF EXPRESS MAILING under 37 CFR 1.10

Express Mail Label No:	EL 856403149 US	Date of Deposit	April 20, 2001
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.			
Signature			
Typed Name of Person Mailing Paper or Fee	RICHARD PASK		



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APR 26 2001

PTO/SB/98 (2-98)
Approved for use through 09/30/2000. OMB 0551-0031**STATEMENT UNDER 37 CFR 3.73(b)** TECH CENTER 1600/2800Applicant: Paul A. Price, et al.Application No.: 09/215,077Filed: December 18, 1998Entitled: ASSAY FOR YKL-40 AS A MARKER FOR CANCERThe Regents of the University, a
of California

corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 8075, Frame 0948, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

4/3/01

Date

Linda S. Stevenson

Signature

Linda S. StevensonManager, Patent Prosecution